

Committee on Energy and Commerce

**Opening Statement as Prepared for Delivery
of**

**Subcommittee on Environment, Manufacturing, and Critical Materials Ranking Member
Paul D. Tonko**

***Hearing on the Republican Assault on Americans' Rights to Reliable, Clean, and Affordable
Energy***

November 14, 2023

Section 111 of the Clean Air Act is an important tool to address major sources of air pollution, and today, there are no Federal limits on climate pollution from the power sector. Today's hearing, much like every hearing examining potential regulation of the power sector during my time on this Committee, will raise speculative threats of widespread blackouts if the proposed rule is allowed to move forward.

We have heard nearly identical, recycled talking points from regulated entities and opponents of addressing climate pollution whenever EPA has proposed power plant regulations. And in those previous cases, those fears were unfounded. Consider the Obama Administration's Clean Power Plan, which targeted a 32% emission reduction from 2005 levels by 2030.

That goal was exceeded a decade early, before the rule would have even taken effect, without causing systematic reliability issues. And that is because the management of our electricity system is dynamic. Industry, States, and grid operators will step up to meet the requirements of this proposal while ensuring reliability is not compromised.

And in fact, the added certainty provided to regulated entities through this rule will allow them to make better informed, long-term plans for how to best manage their assets and make future investment decisions. I should also note that EPA's proposal is extremely targeted. The rule has divided generating units into numerous subcategories, taking into account units' size, retirement plans, and capacity factors.

With this approach, EPA has sought to cover the largest, long-term sources of pollution, while ensuring that smaller, existing gas units, which may have a role to play in grid balancing, are able to continue to operate. According to the Energy Information Administration, there are 3,295 existing gas-fired combustion turbines, representing 432 gigawatts of capacity. Under EPA's proposal, units smaller than 300 megawatts will not be covered, meaning 94% of existing gas plants will not have to do anything under this rule.

They will be able to continue to be part of our increasingly pollution-free electricity mix for many years to come, providing dispatchable, on-demand capacity during times of peak load or unavailability of carbon-free resources. And the notion that we are moving to a cleaner electricity mix is not some fantasy cooked up by EPA employees.

It is an accurate reflection of industry trends, which include the impending retirement of many coal-fired generating units, the mass deployment of renewables, and greater use of grid modernization technologies. These trends were already underway and will be bolstered by the incentives included in the Inflation Reduction Act, Bipartisan Infrastructure Law, and State policies.

These new Federal incentivizes will enable the clean energy transition, as well as compliance with EPA's proposal, to be accomplished much more cost effectively. I am also very proud that this Subcommittee, in the IRA, provided EPA with \$5 billion for Climate Pollution Reduction Grants, which are available to States to support the development and implementation of climate plans.

This is a hallmark of the one-two combination of the IRA's incentives and EPA's complementary regulatory strategy—to provide States with the resources and time to find the most effective pathways to reduce pollution while allowing for flexibility to account for each State's unique circumstances.

Finally, we must remember why EPA is pursuing this proposal. Unmitigated climate change poses a tremendous threat to Americans' health, our economy, and our critical infrastructure. Today, one of the greatest threats to electricity reliability is from increasingly common and increasingly severe extreme weather events.

Extreme weather strains our grid infrastructure, and it is something we should be working to address. But failure to adequately address climate pollution, including from the power plants covered by EPA's proposed rule, will exacerbate the climate crisis, resulting in even more extreme weather and greater costs to Americans. So, I hope we can work together on efforts to harden our grid infrastructure and enhance reliability. For example, by requiring more interregional grid connections by building out transmission infrastructure.

Mr. Chairman, I have the utmost confidence that once standards have been set, the brilliant minds at our nation's States, grid operators, and utilities will rise to the challenge to achieve those standards while maintaining reliability and allowing Americans to experience the \$85 billion of benefits that are estimated to be provided by this important public health proposal.

With that, I thank you and yield back.